

Paris City Commission
Commission Chambers
Paris, Kentucky
May 27, 2014

The Paris City Commission met in regular session at 9:00 a.m. on Tuesday, May 27, 2014. Mayor Michael Thornton called the meeting to order and the Pledge of Allegiance was recited.

Present: Commissioner Jo Ann George, Commissioner Tim Gray, Commissioner Wallis Brooks, Commissioner Stan Galbraith, City Manager John Plummer, Assistant City Manager Mike Withrow, City Attorney Bryan Beauman, City Clerk Cheryl Dryden and Finance/Utilities Director Jim McCarty.

Approve Agenda

Motion made by George, seconded by Gray and unanimously carried to approve the agenda as presented with the following correction:

New Business - Discuss appointments to the Paris Board of Adjustment

Approve Minutes

Motion made by Brooks, seconded by George and unanimously carried to approve minutes of the May 13, 2014 regular session and May 21, 2014 special meeting.

Public Comment

Candice Williams came before the commission to report an individual driving and drinking in the Massie and Stoner Avenue area and also at Legion Park. Ms. Williams also reported a problem with motorists speeding in Stoner Avenue area.

Communications

Motion made by Brooks, seconded by Galbraith and unanimously carried to accept and file notice of closure of KOHS grant for Fire Department Pagers.

Consent Agenda – None

Old Business

Beauman read in its entirety the ordinance relating to the annexation of certain real property containing 69.308 acres, more or less, owned by and with the consent of the landowner Thornton Properties, Inc. and noted the property to be annexed must be adjacent or contiguous to the city and must be suitable for development for urban purposes without unreasonable delay.

Michael Thornton recused himself and took a seat in the audience in order to wait his turn to testify and Mayor Pro Tem Wallis Brooks presided over the meeting.

Code Enforcement Officer Mike Withrow advised the property owner had requested the annexation and the property met all requirements of annexation.

Thornton Properties came before the commission and respectfully requested annexation of its property located at 285 Ruddles Mill Road consisting of 69.308 acres more or less which borders two properties already annexed into the city, Avantor Materials located on the Paris By-pass and Brady Family Trust property located on Isgrig Lane, and noted the property bordering north, owned by Frances Duncan, is listed on the future land use map as low density housing. Thornton stated the annexation would increase the land mass and tax base, create and retain jobs and overall be an asset for the City of Paris. Thornton informed the audience that he had been assured by the City's Code Enforcement Officer and Engineering Services Director that the annexation met all requirements; assured by the State that truck traffic on the Ruddles Mill Road was not an issue and indicated the site would be used to store Martin's Sanitation, Inc. equipment.

Gary Linville and Lonnie Conley, owners of Paris Machining, LLC., spoke in favor of the annexation and indicated plans to double their workforce once they moved into the building to be vacated by Martin's Sanitation. Mr. Conley stated denial of this annexation would send a clear signal that the community is not serious about growth.

Matt Perraut, spoke as a proponent of the annexation and stated the annexation would promote positive tax base growth and the rumors concerning use of the property were unsubstantiated with no specific questions ever being asked of Thornton.

Drew Perraut, owner of Land Works and proponent of the annexation, stated the need for pro-growth with entrepreneurs willing to invest in Paris and Bourbon County.

Hank Graddy, Versailles attorney, representative of Citizens for Progressive Growth and Development and opponent of the annexation, stated he believed the ordinance failed since the property was not contiguous due to the county road needed to access the property and because the property was not currently ready for development.

Mary Clay, Bourbon County resident and member of Citizens for Progressive Growth and Development, stated she was opposed to the annexation noting the property was not suitable for development for urban purposes without unreasonable delay. Ms. Clay cited reasons to not annex the property including the removal of the Isgrig Farm (which this tract is a part) from the 2004 Comprehensive Plan for future development designation and the lack of effective demand for large lot development in Paris referring to the Ruggles property at the intersection of the Paris By-pass and Peacock Road that was placed on the market in 2007 and taken off the market in 2011 due to lack of demand.

Mr. Graddy further expressed concern with the role of the mayor in this situation and the risk of a public official using their office for personal gain.

Galbraith stated he disagreed with Mr. Graddy's and Ms. Clay's position that this particular property was not contiguous to two properties already in the city. Mr. Graddy responded the access road to the property was a county road.

Henry Norris, resident of 591 Ruddles Mill Road, questioned why no one responded to his letters in the Bourbon County Citizen inquiring on what was being built at the proposed annexation site. Mr. Norris was advised he could have directly contacted the city attorney with his concerns.

Following this testimony, Michael Thornton left the commission chambers at 9:50 a.m.

Thereafter, with no other comments being heard, Galbraith moved for passage of Ordinance 2014-5 upon the application of Thornton Properties, Inc. with the finding that the property described in the ordinance specific is contiguous to the current city limits on two fronts, the Avantor/Mallinckrodt property and the Brady Family Limited Trust property, and the finding that the property is suitable for development for urban purposes without unreasonable delay for a variety of reasons including but not limited to those heard for the record today which would be for operation of Martin's Sanitation, Inc. Brooks seconded the motion. On roll call vote, George voted no, Gray voted yes, Brooks voted yes and Galbraith voted yes. Motion carried.

CITY OF PARIS ORDINANCE NO. 2014-5

AN ORDINANCE RELATING TO THE ANNEXATION OF CERTAIN REAL PROPERTY CONTAINING 69.308 ACRES, MORE OR LESS, OWNED BY AND WITH THE CONSENT OF THE LANDOWNER THORNTON PROPERTIES, INC.

WHEREAS, Thornton Properties, Inc., as owner of approximately 69.308 acres of property, lying on 285 Ruddles Mill Road, and contiguous to the City limits of the City of Paris, has submitted its Request and Consent for Annexation, pursuant to KRS 81A.412, for property into the City.

WHEREAS, the City of Paris hereby declares that it is desirable to annex this

unincorporated territory into the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF PARIS BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1: The City of Paris, Kentucky does hereby annex to the City of Paris, Kentucky, pursuant to KRS 81A.412, the following boundary of territory that is adjacent or contiguous to the City's boundaries and which by reason of population density, commercial, industrial, institutional, or governmental use of land, or subdivision of land is suitable for development for urban purposes without unreasonable delay: a certain tract or parcel of land located and being in Bourbon County, State of Kentucky, known as 285 Ruddles Mill Road and more fully described as in the attached Exhibit A and illustrated in the attached Exhibit B. The exhibits accurately define the boundary of the territory proposed to be annexed and are fully incorporated herein.

Section 2: The record title holder to said property according to the deed of record recorded in the Bourbon County Clerk's Office, Paris, Kentucky, Thornton Properties, Inc., has formally requested that said property be annexed as evidenced by the attached "Consent to Annexation" signed by Michael Thornton, by and on behalf of Thornton Properties, Inc., which is Exhibit C, attached hereto and fully incorporated herein.

Section 3: Since the owner of record of the land to be annexed has given consent in writing to this annexation, the City of Paris shall not be required to comply with the notice requirements of KRS 81A.420(2) prior to enacting a final ordinance annexing the area.

Section 4: The clerk is ordered to adapt the City Map to reflect said annexation and to submit the same to any and all governmental agencies to which submittal is required, included but not limited to, the Commonwealth of Kentucky—Kentucky Land Office.

Section 5: The annexation of this property shall not affect its zoning classification.

Section 6: This Ordinance shall become effective immediately upon its passage and publication. The foregoing Ordinance was introduced and read for the first time as the City Commission's regular meeting of May 13, 2014. Read for the second time, adopted and approved at its regular meeting of May 27, 2014.

MAYOR PRO TEM

ATTEST:

CITY CLERK

New Business

Mayor Thornton resumed the position as chair of the meeting.

Further discussion of the Planning Commission Comprehensive Plan Goals and Objectives was scheduled for the next meeting with the P&Z Administrator present.

First reading was given to Ordinance 2014-6 amending the number of Deputy City Alcoholic Beverage Control Administrators.

First reading was given to Ordinance 2014-7 regarding the composition of the Board of the Paris-Bourbon County Economic Development Authority.

First reading was given to Ordinance 2014-8 related to changing the zone for certain real property containing a total of 2.81 Acres, more or less, owned by Sarah Leer for said property located at 1714 Main Street, Paris, Bourbon County, Kentucky, with zone map amendment from I-2 (Industrial) to B-2 (Business). Withrow noted signage for the proposed zone change had been posted. Ben Berry of Berry Engineer, LLC representing Hutton Growth One advised the

zone change conditional upon approval of the development plan had been approved by the Planning Commission at its May 22, 2014 meeting.

First reading was given to Ordinance 2014-9 adopting the City of Paris, Kentucky annual budget for fiscal year July 1, 2014 through June 30, 2015 estimating revenues and resources and appropriating funds for the operation of city government.

Motion was made by Galbraith, seconded by Brooks and unanimously carried to adopt Resolution 2014-10 authorizing application for KOHS grant for purchase of thermal camera for the Paris Fire Department.

RESOLUTION 2014-10

City of Paris

A RESOLUTION OF THE CITY OF PARIS, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.

WHEREAS, the City of Paris, Kentucky desires to make an application for United States Department of Homeland Security and/or Commonwealth of Kentucky funds for a project to be administered by Kentucky Office of Homeland Security:

WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city:

NOW, THEREFORE, be it resolved this 27th day of May 2014, by the City of Paris Kentucky,

The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

Done this 27th day of May, 2014 on a Motion made by Commissioner Stan Galbraith.

And seconded by Commissioner Wallis Brooks.

Members present voting in Favor: 5

Members Present voting against: 0

BY: _____
Mayor
ATTEST: _____
Clerk

Reverend William Garr and Wiley Faw were mentioned as possible appointments to the Paris Board of Adjustment with consideration to be given at the next meeting.

Engineering Services Director Mike Asalon presented the following 2014 street paving list and estimated cost.

Clifton (to 19th St) - \$20,050
15th St - \$26,425

16th St - \$25,150
 Cypress St (from Bypass to Pineview Apts) – Also restriped - \$32,050
 Restripe Cleveland Dr Entrance - \$2,500
 Bradford Dr - \$22,825
 Bradfort Ct - \$8,300
 4th Street Parking Lot - \$12,625 (includes striping)
 End of 19th St (toward Double O, in front of recycling center) - \$3,270
 Yorktown (including Rosemary Ln) - \$43,150
 Astrio - \$4,650
 Minden - \$9,325
 Ferguson - \$8,750
 Cypress (Between 7th and 8th) - \$16,250
 Gano (8th to Gorey) - \$9,025
 Singers and Connelly Alley (off 8th St) - \$7,200

The total cost will be \$251,545

Motion was made by Brooks, seconded by Gray and unanimously carried to approve the 2014 Street Paving List as presented.

Financial Business

Motion was made by Galbraith, seconded by Thornton and unanimously carried to approve payment of invoices as presented.

GENERAL FUND - MAY 27, 2014

DESCRIPTION

ADVANCED SOLUTIONS	\$ 128.49	AUTOCAD CIVIL 3D 2014
AMAZON	\$ 55.38	RUBBER DOOR STOPS - PMC
AT&T	\$ 271.98	SERVICE
AT&T	\$ 8.29	SERVICE
AT&T	\$ 594.41	SERVICE
AT&T CAPITAL SERVICE	\$ 714.42	IP OFFICE MAINTENANCE
AT&T ONE NET	\$ 7.33	SERVICE
BLUEGRASS UNIFORMS	\$ 7,671.00	3 SETS KEVLAR PANTS, TAILS - FIRE
BLUEGRASS UNIFORMS	\$ 12,785.00	5 SETS KEVLAR PANTS, TAILS - GRANT
BME	\$ 1,997.36	HVAC - ROOM 312
BOURBON COMMUNITY HOSPITAL	\$ 136.50	DRUG SCREENS - POLICE
BOURBON COMMUNITY HOSPITAL	\$ 45.00	DRUG SCREEN - FIRE
BUD'S POLICE SUPPLY	\$ 228.50	TARGETS, EAR PLUGS - POLICE
CODE ADMINISTRATORS ASSN OF KY	\$ 75.00	DUES
CMRS	\$ 2,000.00	POSTAGE
COLUMBIA GAS	\$ 1,255.13	SERVICE
CVS CAREMARK CORPORATION	\$ 12,702.00	REFUND OF OVER ESTIMATED NET PROFIT
CURTIS, LARRY	\$ 1,000.00	RELEASE OF STREET CUT BOND
CUSTOM METALWORKS	\$ 62.00	MOWER REPAIR - STREET
ENGLISH, RONNNIE	\$ 39.96	HEX REFUND
FIRE HOUSE STITCH	\$ 31.98	WINDSHIRT -FIRE
GALLS	\$ 42.50	SHORTS - FIRE
HAMILTON HINKLE PAVING	\$ 550.07	SURFACE MATERIAL - STREET, WATER
HUMANA	\$ 55,653.38	HEALTH, DENTAL, VISION PREMIUM
HUMANA	\$ 804.18	LIFE INSURANCE PREMIUM
KAFFENBARGER TRUCK EQUIPMENT	\$ 56.90	TAILGATE LATCH - #119 - STREET
KENTUCKY UNIFORMS	\$ 427.18	PANTS, SHIRTS - FIRE
KENTUCKY UTILITIES	\$ 5,489.62	SERVICE

KY CERTIFIED BLDG INSPECTOR	\$ 50.00	CERTIFICATION RENEWAL - B DOYLE
MARTY'S REFRIGERATION	\$ 200.00	CLEAN/SANITIZE ICE MACHINES - FIRE
MASTIN'S AUTO SERVICE	\$ 223.04	SUBURBAN REPAIR - FIRE
MURPHY ELEVATOR	\$ 700.00	MAINTENANCE - MAY
PARIS-BO CO TOURISM COMMISSION	\$ 1,818.02	TRANSIENT ROOM TAX
RAIL'S END NURSERY	\$ 320.00	MULCH - PMC
RDJ SPECIALTIES INC	\$ 1,352.31	CHILDREN FIRE HATS - FIRE PREVENTION
ROBERT'S TOWING	\$ 492.71	ENGINE 1 REPAIR
SHERWIN WILLIAMS	\$ 959.60	WHITE/YELLOW TRAFFIC PAINT - STREET
STANDARD BUSINESS MACHINES	\$ 77.22	COST PER COPY AGREEMENT - OFFICE
STATE SURPLUS PROPERTY	\$ 19,500.00	JOHN DEERE TRACTOR W/BOOM - STREET
STURGILL TURNER BARKER MOLONEY	\$ 6,451.50	LEGAL FEES - MAY
TIME WARNER	\$ 124.95	MODEM LEASE
TRACKER PRODUCTS LLC	\$ 1,500.00	ANNUAL SOFTWARE UPGRADE - POLICE
TRADITIONAL BANK	\$ 3,108.09	LOAN PAYMENT - MAY
WALMART	\$ 383.62	PRINTER, CARTRIDGES, ETC - ALL DEPTS

**COMBINED
UTILITY AP
MAY 27, 2014**

<u>VENDOR NAME</u>	<u>AMOUNT</u>	<u>DESCRIPTION OF PURCHASE</u>
ADGRAPHICS	\$ 423.70	PRINTING/UTILITIES
ALFA MEDICAL EQUIPMENT SPEC.	\$ 155.93	EQUIPMENT PARTS/WATER
AMERICAN DEVELOPMENT CORP	\$ 4,612.50	TREATMENT CHEMICALS/WWTP
AT&T	\$ 55.00	COMMUNICATIONS/SANITATION
AVAYA FINANCIAL SERVICES	\$ 1,359.13	COMMUNICATIONS/ALL DEPTS.
BME MECHANICAL	\$ 195.37	MAINTENANCE AGREEMENTS/WATER
	\$ 340.55	BUILDING MAINTENANCE/ELEC.PROD.
BRENNTAG MID-SOUTH INC	\$ 3,044.56	TREATMENT CHEMICALS/WWTP & WATER
BROWNSTOWN ELECTRIC SUPPLY	\$ 671.10	SPECIFIC SUPPLIES/ELEC.DIST.
CCP INDUSTRIES	\$ 116.10	TREATMENT CHEMICALS/WATER
CITY OF PARIS/ADVANCES	\$ 56,761.04	REIMBURSE GENERAL FUND
CITY OF PARIS	\$ 11,792.95	UTILITIES/ALL DEPARTMENTS
CITY OF PARIS/ALLOCATION	\$ 40,000.00	PAYMENT IN LIEU OF TAXES
COLUMBIA GAS	\$ 62.41	UTILITIES/WWTP/COMPACTOR
CROWN PLAZA LOUISVILLE	\$ 949.41	LODGING/WATER
CULLIGAN WATER CONDITIONING	\$ 35.00	MAINTENANCE AGREEMENTS/WATER
CUSTOM METALWORKS	\$ 635.40	SPECIFIC SUPPLIES/ELEC.PROD. & WATER
DAVIS MACHINE SHOP	\$ 50.00	EQUIPMENT MAINTENANCE/ELEC.PROD.
DAVIS, WILLIAM	\$ 33.58	REIMBURSE TRAVEL/MEALS/WATER DIST.
D&F DISTRIBUTORS INC	\$ 264.62	EQUIPMENT PARTS/ELEC.PROD.
EADS HARDWARE	\$ 318.46	SUPPLIES/ALL DEPTS
EQUIPMENT RESOURCES	\$ 165.30	SMALL TOOLS/WATER
FAIRBANKS MORSE ENGINE	\$ 2,101.39	EQUIPMENT PARTS/ELEC.PROD.
FARWEST LINE SPECIALTIES	\$ 171.42	SMALL TOOLS/ELEC.DIST.
FASTENAL COMPANY	\$ 21.40	EQUIPMENT PARTS/ELEC.PROD.
FLEET ONE	\$ 7,505.10	GAS & DIESEL/ALL DEPARTMENTS
FOUSER ENVIRONMENTAL SV	\$ 405.00	LAB TESTING/WATER & WWTP
GALETON GLOVES	\$ 70.84	CLOTHING & SAFETY GEAR/ELEC.DIST.
HACH COMPANY	\$ 133.07	TECHNICAL SUPPLIES/WATER
HAMILTON HINKLE PAVING	\$ 291.66	CONSTRUCTION MATERIALS/WATER
KY UNDERGROUND PROTECTION	\$ 131.56	CONTRACTED SERVICES/UTILITIES
KENTUCKY MOTORS OF PARIS	\$ 366.95	SUPPLIES/ALL DEPTS
		SEPA POWER PURCHASE FOR MARCH 2014
KENTUCKY UTILITIES	\$ 323,197.58	TREATMENT CHEMICALS/WWTP
KONA PRODUCTS	\$ 505.60	VEHICLE PARTS/WATER
L&W EMERGENCY EQUIPMENT	\$ 715.78	REIMBURSE TRAVEL/UTILITIES
MCCARTY, JAMES	\$ 734.92	

MWH AMERICAS INC	\$	820.42	CONTRACTED SERVICES/UTILITIES
NEPTUNE EQUIPMENT	\$	884.00	SPECIFIC SUPPLIES/WATER
PARIS WW, LLC	\$	9,246.15	REIMBURSE FOR LIBRARY/MAIN ST. WORK
QUILL	\$	72.99	OFFICE SUPPLIES/WWTP
RAY KING	\$	350.00	PROFESSIONAL FEES/ELEC.DIST.
REMEL INC	\$	409.82	TECHNICAL SUPPLIES/WATER
RUMPKE	\$	29,864.50	TRASH REMOVAL/WWTP/SANITATION
THORNBERRY MINI STORAGE	\$	260.00	STORAGE/ELEC.DIST.
TRACTOR SUPPLY CO	\$	103.92	PARTS/ELEC.DIST. & WWTP
SNAP EQUIPMENT	\$	106.20	VEHICLE MAINTENANCE/WATER
SPIEGEL & MCDIARMID	\$	830.75	PROFESSIONAL FEES/UTILITIES
STUART IRBY COMPANY	\$	1,720.93	POWER TOOLS/ELEC.DIST.
US DEPT OF ENERGY	\$	6,363.58	SEPA POWER PURCHASE FOR APRIL 2014
UNITED POWER SVCS INC	\$	297.56	LAB TESTING/ELEC.DIST.
WHAYNE SUPPLY COMPANY	\$	3,698.97	EQUIPMENT MAINTENANCE/WWTP
WOODFORD OIL COMPANY	\$	3,177.55	OIL & LUBRICANTS/WATER & ELEC.PROD.

McCarty advised the April financials were not available; updated the commission on recent meetings regarding Kentucky Utilities and noted FERC to weigh in heavily on the Paris contract at the next meeting in DC. McCarty advised the municipalities plan to form an inter-local agreement to act as one organization for RFPs for electric service.

Reports of Staff & Elected Officials

Withrow reported structures demolished on Lilleston and Lucas; reported an order to remedy a fire hazard at 1404 Cypress Street by the city's fire chief had resulted in an individual requesting his name not be associated with the property and condemnation process started for a structure at 524 High Street and Trailer #10 on Peacock Road.

Engineering Services Director Mike Asalon advised he had recently passed the professional engineering exam.

Beauman reported the Boys Fund and Girls Fund were now interviewing applicants; advised the Transportation Cabinet was not going to permit any roadblocks and allowing use of a city street or service road for roadblocks could create a liability issue for the city.

EDA Executive Director Gordon Wilson reported the Bluegrass ADD did not get the Tiger grant applications filed in a timely manner and he planned to discuss any recourse with Beauman.

With no new development on the train depot, Beauman was directed to contact Dottie Spears as to plans for the depot.

George reported tall grass issues with a house at the corner of 8th & Horton, the need for speed limit signs and requested the alcohol ordinance prohibiting liquor sales on election day be reconsidered.

Beauman advised he would have a revision of the alcoholic beverage ordinance at the next meeting for first reading.

Gray inquired on a tree in the curve at Garrard Park that posed a pedestrian problem. Withrow advised the tree was on private property and the electric distribution superintendent would make a recommendation as to whether the tree was interfering with electric service.

Brooks inquired on the by-laws for the recreation committee.

Galbraith inquired on water loss, status of the rate study and Safety City. McCarty advised no change in the water loss and the rate study to be available in mid-June. Fire Chief Andy Roe advised kid's fire prevention items had been purchased and repairs to Safety City were being planned.

Thornton reported Kentucky American Water had tentatively agreed to have their water leak crew work on the city’s water loss with the city agreeing to sell water to Kentucky American at wholesale rate for a of period of time.

Adjournment

Motion made by Brooks, seconded by Galbraith and unanimously carried to adjourn at 11:10 a.m.

Mayor

Attest:

City Clerk